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PART II—Section 2

Bills and Reports of Select Committees on Bills

PARLIAMENT OF INDIA

The following Bill was introduced in Parliament on the 25th November, 1950:—

BILL No. 87 of 1950.

A Bill to amend the Government Premises Eviction Act, 1950.

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Government Premises Eviction (Amendment) Act, 1950.

2. Amendment of section 2, Act XXVII of 1950.—In clause (b) of section 2 of the Government Premises Eviction Act, 1950 (hereinafter referred to as the said Act), after the words “‘Government premises’ means any premises” the words “or land” shall be inserted.

3. Amendment of sections 3 and 4, Act XXVII of 1950.—In sections 3 and 4 of the said Act, for the words “the premises” wherever they occur, the words “the Government premises” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

A large number of cases of unauthorised occupation of military lands and refusal of lessees to give up possession thereof after the expiry of their leases, both inside and outside Cantonment areas, have occurred during the past few years. Cases of this kind are in fact a constantly recurring feature of land administration. A common type of unauthorised occupation is by encroachment on vacant Government land and streets. The only remedy at present for evicting unauthorised occupants from such lands is by resort to civil courts. Suits for eviction not only involve considerable expense but usually cover long periods, and the Government is on this account also put to loss of rent usually for the period of the civil suit. Experience shows that a case sometimes takes several years, and even if a decree is obtained, it cannot often be executed as the occupants adopt other dilatory tactics such as appeal to the higher courts.

2. Military Estates Officers, who are managing all lands belonging to the Ministry of Defence in and outside Cantonments at out of the way places, unlike revenue officers who have powers to remove encroachments, have no powers or ready means of eviction of the encroachments or unauthorised occupants.

3. The Government Premises (Eviction) Act, 1950, although it provides for eviction from lands forming part of "premises", does not provide powers for eviction from vacant Government lands or public places in Cantonments. It is therefore proposed in this Bill to amend the said Act to provide for the eviction of unauthorised occupants of Government land.

BALDEV SINGH.

NEW DELHI;
The 11th November, 1950.

M. N. KAUL,
Secretary.